

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method of identifying individuals having a certain probability of having chronic HCV infection comprising the steps of:
 - obtaining a fluid sample from the individual;
 - performing an HCV antibody-based assay on said sample, said assay operable for detection of more than one HCV antibody;
 - determining the optical density of said sample; and
 - using said determined optical density to identify individuals having said certain probability of having chronic HCV infection.
2. (Currently Amended) The method of claim 1, said optical density determining step occurring only on said samples testing positive in said HCV antibody-based assay.
3. (Currently Amended) The method of claim 1, said performing step including the step of contacting said sample with a quantity of HCV antigen antibodies.
4. (Original) The method of claim 1, said performance of said antibody-based assay providing results indicating whether said sample is antibody positive or antibody negative.

5. (Original) The method of claim 1, said certain probability being at least a 60% probability of having chronic HCV infection.

6. (Original) The method of claim 1, said certain probability being at least a 70% probability of having chronic HCV infection.

7. (Original) The method of claim 1, said certain probability being at least a 80% probability of having chronic HCV infection.

8. (Original) The method of claim 1, said certain probability being at least a 90% probability of having chronic HCV infection.

9. (Original) The method of claim 1, said certain probability being at least a 95% probability of having chronic HCV infection.

10. (Original) The method of claim 1, said certain probability being at least a 97% probability of having chronic HCV infection.

11. (Currently Amended) ~~The~~ The method of claim 1, said certain probability being less than a 50% probability of having chronic HCV infection.

12. (Currently Amended) A method of predicting whether an individual providing a fluid sample testing positive for HCV antibodies from an HCV antibody assay capable of detecting more than one HCV antibody has chronic HCV infection, said method comprising the steps of:

measuring the optical density of said fluid sample; and

correlating said measured optical density with the probability that the individual providing the fluid sample has chronic HCV infection.

13. (Original) The method of claim 12, said correlating step including the step of comparing said measured optical density with optical density ranges corresponding to certain probabilities of chronic HCV infection.

14. (Original) The method of claim 13, said optical density ranges providing at least 60% accuracy levels for any measured optical density level.

15. (Original) The method of claim 13, said certain probability being less than about 10% when said measured optical density is less than 1.0.

16. (Original) The method of claim 13, said certain probability being less than about 15% when said measured optical density is less than 2.35.

17. (Original) The method of claim 13, said certain probability being greater than about 70% when said measured optical density is greater than about 2.35.

18. (Original) The method of claim 13, said certain probability being greater than about 80% when said measured optical density is greater than 3.0.

19. (Currently Amended) A method of determining the probability that an individual testing positive for HCV infection using an antibody-based assay capable of detecting more than one HCV antibody is infected with chronic HCV, said method comprising the steps of:

obtaining a fluid sample from the individual;

~~contacting said fluid sample with HCV antibodies to form a solution;~~

determining the optical density of said solution; and

comparing said determined optical density with a set of standard optical density values correlated with probabilities of chronic HCV infection.

20. (Original) The method of claim 19, said comparing step including the step of using said standard optical density values to provide the probability that said individual has chronic HCV infection.

21. (Original) The method of claim 20, said probability increasing as said determined optical density increases.

22. (Original) The method of claim 20, said probability being less than 20% when said determined optical density is less than about 1.0.

23. (Original) The method of claim 20, said probability being less than 20% when said determined optical density is less than about 2.35.

24. (Original) The method of claim 20, said probability being greater than 70% when said determined optical density is more than about 2.35.

25. (Original) The method of claim 20, said probability being greater than about 80% when said determined optical density is more than about 3.0.

26. (Currently Amended) A method of testing for chronic HCV infection comprising the steps of:

obtaining a fluid sample;

performing an antibody-based assay capable of detecting more than one HCV antibody on said sample; and

measuring the optical density of said sample; and

using said measured optical density to test for chronic HCV infection.

27. (Original) The method of claim 26, said measured optical density being correlated with the probability that said sample contains chronic HCV infection.

28. (Original) The method of claim 27, said probability increasing as said measured optical density increases.